

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:

Jon C. Evans et al.

Examiner: Andrew J. Rudy

Appl. No.: 09/887,526

GAU: 3627

Filed: June 25, 2001

Confirmation No. 5740

Title: SYSTEM AND METHOD FOR COMPUTER-CREATED ADVERTISEMENTS

**MAIL STOP – ISSUE FEE**

Commissioner for Patents  
United States Patent and Trademark Office  
P.O. Box 1450  
Alexandria, VA 22313-1450

**COMMENTS ON STATEMENT  
OF REASONS FOR ALLOWANCE**

Dear Sir:

Applicant respectfully requests entry of the following Remarks with regard to the Examiner's Statement of Reasons for Allowance.

The Examiner's Statement of Reasons for Allowance recites:

*“Applicant's REMARKS submitted February 6, 2006 have been reviewed. Applicant's REMARKS provide a clear demarcation over the prior art. The prior art does not disclose, nor suggest, either alone or in combination, Applicant's features for a user to create an advertisement comprising displaying on a computer a plurality of advertising formats for selection by the user, processing the selection, displaying on a computer a template and a plurality of product references, automatically rearranging a selected product reference to a selected format to create a preview of a proposed advertisement and displaying the preview to the user, with the other recited claim features from claims 1, 9, 29, 31, 32, and 35 and the dependent claims 2-8, 10-15, 30 and 33, 34, 36 and 37.”*

Applicant's Remarks in the Response filed February 6, 2006, did no more than highlight the differences between the claimed invention and the cited references. Although the Examiner's recognition of the clarity of Applicant's statements is appreciated, Applicant's statements in the Remarks filed February 6<sup>th</sup> merely explained how the prior art was distinguishable from the claimed invention. Applicant respectfully submits that the wording of the claims alone distinguishes the prior art from Applicant's claimed invention.

Also, the Examiner's statement does not track the wording of claim 1, and adds that the recited invention "with the other recited claim features from claims 1, 9, 29, 31, 32 and 35 and the dependent claims 2-8, 10-15, 30 and 33, 34, 36 and 37" is allowable. Applicant considers the Examiner's statement to mean that each independent claim is allowable over the prior art as well as the associated dependent claims.

Respectfully submitted,  
NOVAK DRUCE & QUIGG LLP

Date: July 17, 2007

By: 

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